

**AN ORDINANCE  
BY COUNCIL MEMBER CLETA WINSLOW**

07-O-

**AN ORDINANCE TO ABANDON PUBLIC STREETS KNOWN AS ABBOTT STREET AND BALDWIN PLACE, LOCATED IN THE CITY OF ATLANTA, AND TO CONVEY SAID ABANDONED STREETS AT NO COST TO THE HOUSING AUTHORITY OF THE CITY OF ATLANTA, GEORGIA; TO WAIVE THE PROVISIONS OF SECTION 2-1578 OF THE CITY CODE PROVIDED, HOWEVER, THAT SECTION 2-1578 (c)(3) REQUIRING CERTAIN NOTIFICATIONS AND SECTION 138-9 INSOFAR AS IT RELATES TO THE ADVERTISEMENT AND PUBLIC HEARING REQUIREMENT, SHALL NOT BE WAIVED; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta ("the City") and The Housing Authority of the City of Atlanta, Georgia ("the Housing Authority") have worked as partners to provide affordable housing to the citizens of the City; and

**WHEREAS**, the Housing Authority is engaged in the revitalization of Harris Homes into a new master planned, mixed-use, mixed-income, mixed-finance community; and

**WHEREAS**, in conjunction with the revitalization, the Housing Authority is requesting the City of Atlanta to abandon public streets known as Abbott Street and Baldwin Place, and to convey said abandoned streets to the Housing Authority which is the only abutting property owner; and

**WHEREAS**, pursuant to Section 5(b) of the 2003 Harris Homes Cooperation Agreement by and among the City, the Housing Authority, and Fulton County, which has been executed by the City of Atlanta, the City has agreed to convey such abandoned streets without cost or expense to the Housing Authority.

**THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY GRANTS AS FOLLOWS:**

**Section 1:** The provisions of Section 2-1578 of the Code of Ordinances is hereby waived, provided however, 2-1578 (c)(3) requiring certain notifications and Section 138-9 insofar as it pertains to the advertisement and public hearing requirement, shall not be waived.

**Section 2:** The public streets and rights of way known as Abbott Street and Baldwin Place, as shown on the attached surveys and described in the attached legal descriptions, are hereby declared no longer useful or necessary for the public's use and convenience and, upon the passage of the ordinance, shall thereafter cease to be public streets for any purpose whatsoever and the rights of the public in and to said vacated and abandoned streets shall cease.

**Section 3:** Any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time as said utilities are abandoned, removed, or relocated at which time said easements shall expire.

**Section 4:** Pursuant to the terms of Section 5(b) of the 2003 Harris Homes Cooperation Agreement by and among the City, the Housing Authority, and Fulton County, which has been executed by the City of Atlanta, all of the City's interest in the streets and rights-of-way described in Section 2 is hereby conveyed without cost or expense to the Housing Authority.

**Section 5:** The Mayor is hereby authorized to execute a quitclaim deed to convey said streets and rights-of-way to the Housing Authority.

**Section 6:** In accordance with Section 2-1578 (c)(3) of the City Code, appropriate city personnel shall notify utility owners and city departments, including but not limited to, Police, Fire, Planning, Traffic and Transportation, MARTA, GADOT, and maintain a complete response file for summary by the Commissioner of Public Works.

**Section 7:** Said street abandonment shall be advertised and a public hearing held in accordance with the requirements of Section 138-9.

**Section 8:** All code sections, ordinances, and parts of code sections and ordinances in conflict are hereby waived for the purpose of this ordinance only.



2007 AUG 14 PM 1 55  
**CITY OF ATLANTA**  
Department of Public Works  
68 Mitchell Street, SW, Atlanta GA 30335  
(404) 330-6240 FAX (404) 658-7552

DEPT. OF PUBLIC WORKS  
OFFICE OF TRANSPORTATION  
2007 AUG 14 PM 1 55

**Request for Abandonment of Public Right-of-Way**

Date: August 9, 2007

Name of Street #1: Baldwin Place / Abbott Street  
Between Baldwin Street / Sells Ave. and Westview Drive / Westview Drive  
Petitioner Name: The Housing Authority of the City of Atlanta, Georgia  
Petitioner Address: 230 John Wesley Dobbs Avenue, NE, Atlanta, GA 30303  
E-Mail Address: keith.morton@atlantahousing.org

**Required Submittals**

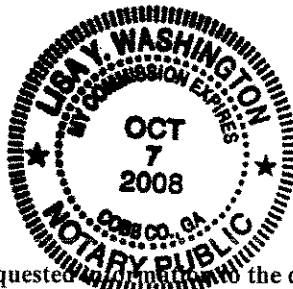
The following submittals are required to initiate the process for consideration of abandonment of a public right-of-way:

1. A survey plat of the area to be abandoned. Survey plat should be prepared by a registered surveyor in a manner suitable for filing. Plat is subject to review and approval by the Department of Public Works.
2. A list of all abutting property owners, respective addresses, tax parcel codes, deed book and page number of title.
3. An "owner's statement" from each abutting property owner.
4. Fee of \$2,500 for streets abutting the development of residential subdivisions, commercial industrial tracts OR a fee of \$2,000 for streets abutting individual lots. This fee is applied to the cost of the appraisal of the parcel and advertisement of the proposed abandonment.
5. Any special information deemed necessary or appropriate by the Commissioner of the Department of Public Works.

**Certifications of Intent**

I, The Housing Authority of the City of Atlanta, GA the undersigned, do hereby certify that I am a qualified petitioner for the abandonment of the above listed street and so intend to acquire the prorated portion of the abandoned street at fair market value as a condition of consideration of abandonment.

(Except as stated in section 5(b) of the 2003 Harris Homes Cooperation Agreement)



Lisa Y. Washington Name  
Notary Public  
August 9, 2007 Date

Please forward all requested information to the department of Public Works, Atlanta City Hall South, 68 Mitchell Street, suite 4700, Atlanta, GA 30335 (404) 330-6254

### Property Owner's Statement

I, The Housing Authority of the City of Atlanta, Georgia (owner's name), the undersigned do hereby certify that I am the owner(s) of record of real property abutting Baldwin Place / Abbott Street, public rights-of-way in the City of Atlanta.

I support X / do not support      the abandonment of the aforementioned rights-of-way. If abandoned, I will X / will not      acquire at fair market value that portion of the rights-of-way abutting my property.

(Except as stated in section 5(b) of the 2003 Harris Homes Cooperation Agreement)

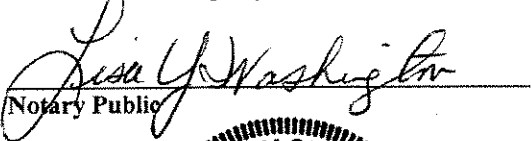


Signature of Property Owner

*Renee Lewis Glover*

Print Name of Property Owner

August 9, 2007  
Date



Notary Public

August 9, 2007  
Date



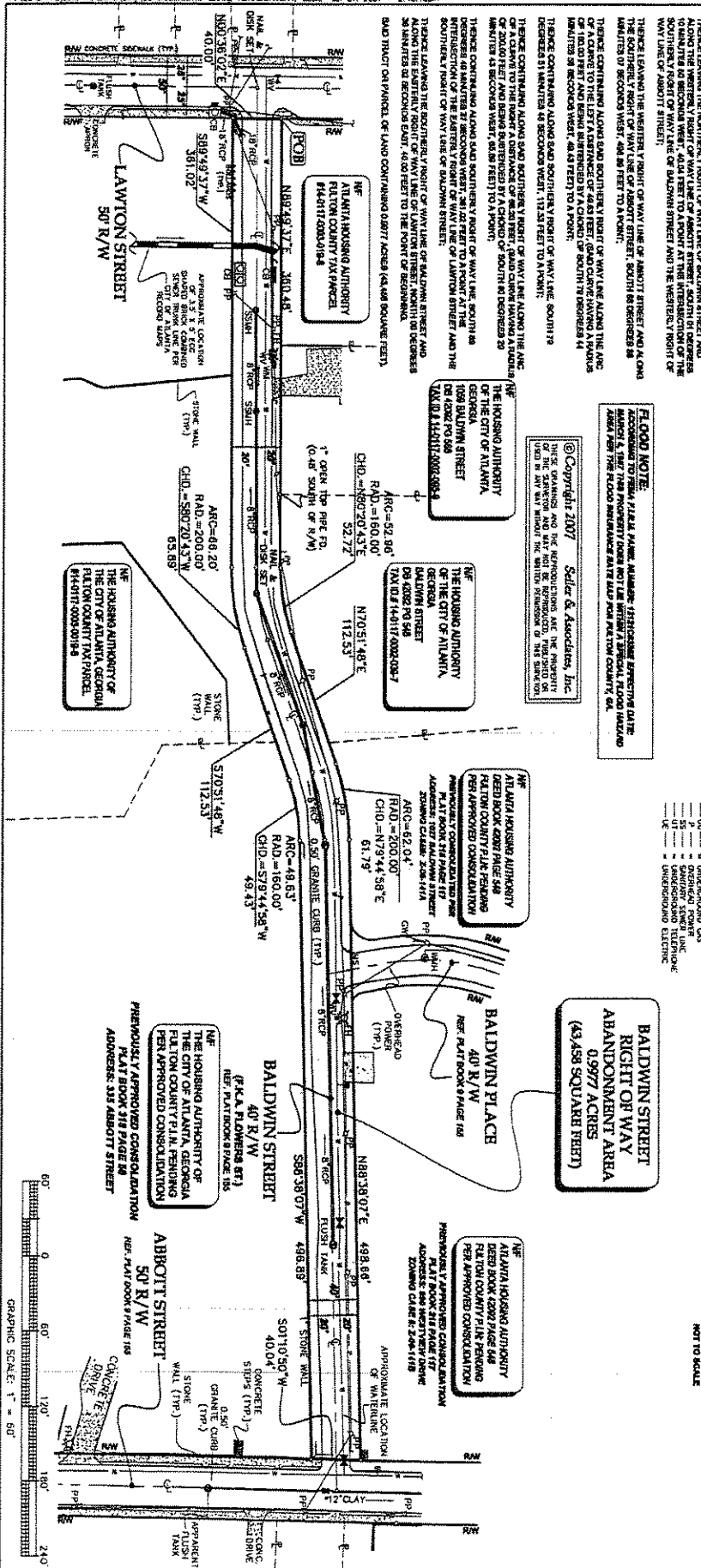
Please forward all requested information to the department of Pubic Works, Atlanta City Hall  
South, 68 Mitchell Street, suite 4700, Atlanta, GA 30335 (404) 330-6254

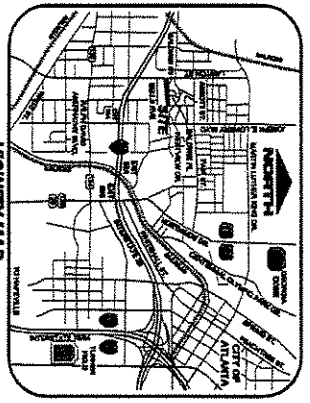
## References

PI-0117-3805-0018-6

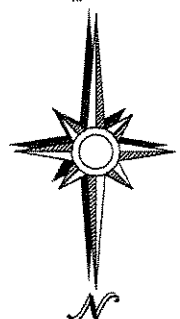
## BALDWIN STREET

**PROFESSIONAL SURVEYOR**  
124 ANDREW DRIVE/STOCKBRIDGE, GA 30281/678-565-9200  
FIND US ON THE WEB AT [www.safersoc.com](http://www.safersoc.com)





GRID NORTH  
NAD 83 (1983)  
ON WEST ZONE



# SURVEYOR'S NOTES

1. A TOPCON STATION TOTAL STATION TOPCON TRAVERSE EQUIPMENT A 300 FOOT LINEAL MEASUREMENT FOR THIS SURVEY.
2. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET.
3. NO MONUMENT WAS FOUND WITHIN 100 FEET OF ANY POINT ON THE SUBJECT PROPERTY.
4. THE SOURCE OF VERTICAL DATUM IS FLATON COUNTY CONTROL MONUMENT #101; BOUNDS ARE IN CONFORMANCE. ELEVATION=424.8
5. THE HORIZONTAL DATUM IS THE NORTH AMERICAN DATUM OF 1983 RECALCULATED IN 1994 (NAD 83). THE VERTICAL DATUM IS NATIONAL GEODETIC VERTICAL DATUM OF 1985 (NGVD 85).
6. PER INDICATE A 10' REMAIN WITH BALDWIN PLACE (SEE PLAT BOOK 105, PAGE 105).
7. ALL LOT CORNERS RECALCULATED WITH PER INDICATE A 10' REMAIN. ALL LOT CORNERS MONUMENTED WITH 10' INDICATE A 10' REMAIN IN CONFORMANCE.
8. ALL LOT CORNERS RECALCULATED WITH PER INDICATE A 10' REMAIN. ALL LOT CORNERS MONUMENTED WITH 10' INDICATE A 10' REMAIN IN CONFORMANCE.
9. ALL LOT CORNERS RECALCULATED WITH PER INDICATE A 10' REMAIN. ALL LOT CORNERS MONUMENTED WITH 10' INDICATE A 10' REMAIN IN CONFORMANCE.

## SURVEYOR'S REFERENCES

1. ATLANTA LAND TITLE SURVEY, PREPARED BY JAMES W. MOULDER, DATE DATED JUNE 30, 1984.
2. ATLANTA LAND TITLE SURVEY, PREPARED BY JAMES W. MOULDER, DATE DATED JUNE 30, 1984.
3. ATLANTA LAND TITLE SURVEY, PREPARED BY JAMES W. MOULDER, DATE DATED JUNE 30, 1984.
4. ATLANTA LAND TITLE SURVEY, PREPARED BY JAMES W. MOULDER, DATE DATED JUNE 30, 1984.
5. ATLANTA LAND TITLE SURVEY, PREPARED BY JAMES W. MOULDER, DATE DATED JUNE 30, 1984.
6. ATLANTA LAND TITLE SURVEY, PREPARED BY JAMES W. MOULDER, DATE DATED JUNE 30, 1984.
7. ATLANTA LAND TITLE SURVEY, PREPARED BY JAMES W. MOULDER, DATE DATED JUNE 30, 1984.
8. ATLANTA LAND TITLE SURVEY, PREPARED BY JAMES W. MOULDER, DATE DATED JUNE 30, 1984.
9. ATLANTA LAND TITLE SURVEY, PREPARED BY JAMES W. MOULDER, DATE DATED JUNE 30, 1984.

# LEGAL DESCRIPTION

ALL THAT TRACT OF PARCELS OF LAND LOTS 118 & 119 OF MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A 10' REMAIN WITHIN 100 FEET OF ANY POINT ON THE SUBJECT PROPERTY.

THE SOURCE OF VERTICAL DATUM IS FLATON COUNTY CONTROL MONUMENT #101; BOUNDS ARE IN CONFORMANCE. ELEVATION=424.8

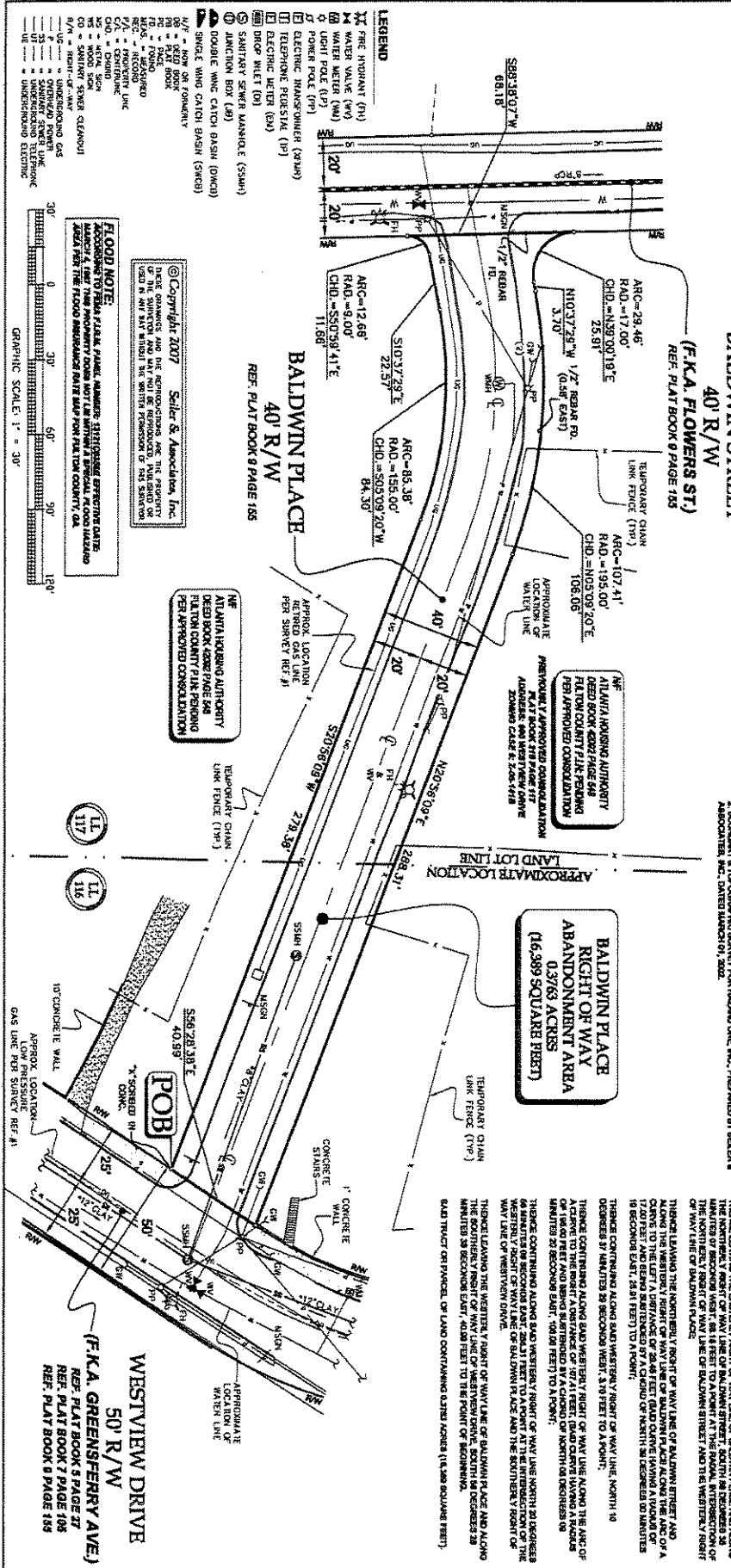
THE HORIZONTAL DATUM IS THE NORTH AMERICAN DATUM OF 1983 RECALCULATED IN 1994 (NAD 83). THE VERTICAL DATUM IS NATIONAL GEODETIC VERTICAL DATUM OF 1985 (NGVD 85).

PER INDICATE A 10' REMAIN WITH BALDWIN PLACE (SEE PLAT BOOK 105, PAGE 105).

ALL LOT CORNERS RECALCULATED WITH PER INDICATE A 10' REMAIN. ALL LOT CORNERS MONUMENTED WITH 10' INDICATE A 10' REMAIN IN CONFORMANCE.

ALL LOT CORNERS RECALCULATED WITH PER INDICATE A 10' REMAIN. ALL LOT CORNERS MONUMENTED WITH 10' INDICATE A 10' REMAIN IN CONFORMANCE.

ALL LOT CORNERS RECALCULATED WITH PER INDICATE A 10' REMAIN. ALL LOT CORNERS MONUMENTED WITH 10' INDICATE A 10' REMAIN IN CONFORMANCE.



R/W ABANDONMENT PLAT  
FOR  
BALDWIN PLACE

STILLER  
ASSOCIATES, INC.  
PROFESSIONAL SURVEYORS

124 ANDREW DRIVE/STOCKBRIDGE, GA 30281/678-565-9200  
FIND US ON THE WEB AT [www.stillerassoc.com](http://www.stillerassoc.com)

NO.	DESCRIPTION	DATE	BY	APPROVED
1	DATE: 7-20-07			
1	SCALE: 1"=30'			
1	FIELD BOOK: PROJECT: N/A			
1	DATE OF FIELD SURVEY: 4-12-05			
1	LAND LOT(S): 118 & 119			
1	DISTRICT: 105			
1	SECTION: N/A			
1	STATE: FLORIDA (CITY OF ATLANTA)			
1	STATION: 20			
1	APPROVED: AS			
1	PROJECT NO.: 05-13-WB			
1	DWG. NAME: 051300001-D			





**Harris Redevelopment, LLC.**

CITY0008

City of Atlanta

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
8-07-07	CHK REQ 8/	STREET ABANDONMENT	2500.00		2500.00
CHECK DATE	8-10-07	CHECK NUMBER	1387	TOTAL >	2500.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A MULTI-COLORED BACKGROUND • THIS PAPER CONTAINS FLUORESCENT FIBERS AND OTHER SECURITY FEATURES

**Harris Redevelopment, LLC.**

60 Piedmont Avenue

Atlanta, GA 30303

404-224-1860

Suntrust Bank  
Atlanta, GA 30303

64-10  
610

DATE August 10, 2007 CHECK NO. 1387 AMOUNT \$\*\*\*\*\*2,500.00

Pay:\*\*\*\*\*Two thousand five hundred dollars and no cents

*Handwritten signature*





